

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 EA-07 IO-11 ISO-00 SSO-00 NSCE-00

USIE-00 INRE-00 AGR-05 CEA-01 CIAE-00 COME-00 DODE-00

FRB-03 H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00 NSC-05

PA-01 AID-05 CIEP-01 SS-15 STR-04 ITC-01 TRSE-00

PRS-01 SP-02 FEAE-00 OMB-01 XMB-02 OPIC-03 /109 W

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O R 121700Z FEB 76

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 8123

INFO AMEMBASSY WELLINGTON

USMISSION OECD PARIS

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EO 11652: N/A

TAGS: GATT, ETRD, NZ

SUBJECT: GATT HANDLING OF NEW ZEALAND IMPORT DEPOSIT SCHEME

REF: GENEVA 780, STATE 24210, GENEVA 574

1. NEW ZEALAND MISSION HAS INSTRUCTION FROM WELLINGTON TO RESIST ANY REFERRAL OF NZ PRIOR IMPORT DEPOSITS TO BOP COMMITTEE FOR EXAMINATION. NZ PREFERENCE IS FOR A WORKING PARTY. THEY HAVE REMINDED SECRETARIAT THAT PRIOR DEPOSIT SCHEMES OF ITALY AND ICELAND (WP ON LATTER NEVER ACTUALLY MET) WERE REFERRED TO WP'S AND THUS NZ WOULD RESIST ANY DISCRIMINATION AGAINST THEM--ESPECIALLY SINCE (A) THEY NOT INVOKING ART. XII ANYWAY AND (B) DEPOSITS AFFECT ONLY 7 PERCENT OF IMPORTS.

2. EC HAS LET IT BE KNOWN THEY COULD ACCEPT BOP COMMITTEE EXAMINATION BUT WOULD NOT RESIST WP APPROACH SINCE ITALY WAS EXAMINED IN WP. JAPANESE MISSION IS UNINFORMED AND UNDECIDED; STRONGLY SUSPECT JAPAN WILL SUPPORT WP

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APPROACH. CANDAA MISSION FEELS THERE IS NO CLEAN-CUT

BASIS FOR INSISTING ON BOP COMMITTEE OVER WP.

3. NEW ZEALAND'S MOTIVATION APPEARS CLEAR ENOUGH TO US: THEY SIMPLY WISH AVOID HAVING TO ANSWER FOR RESIDUAL QR'S WHEN DEFENDING NEW IMPORT DEPOSIT SYSTEM.

4. OUR FEELING NOW IS THAT A RIGID US INSISTENCE ON BOP COMMITTEE EXAMINATION IS NOT USEFUL. IF THE NEW ZEALAND PRIOR DEPOSITS WERE BROADLY APPLIED, THIS CASE MIGHT HAVE BEEN A LIVING EXAMPLE OF SOME OF THE BOP COMMITTEE PRINCIPLES WHICH ARE BEING DISCUSSED IN THE G-18. AS IT IS, HOWEVER, THE DEPOSITS APPLY TO ONLY SEVEN PERCENT OF IMPORTS. TOO, THERE IS SIMPLY NO DENYING THAT ITALY AND ICELAND RECENTLY GOT WORKING PARTIES (BOTH IN 1974) TO EXAMINE DEPOSIT SYSTEMS WHICH HAD MUCH GREATER TRADE COVERAGE AND MORE CLEAR BOP MOTIVATION THAN THE NEW ZEALAND SCHEME.

5. ANOTHER CONSIDERATION IS THAT FALCONER OF THE NEW ZEALAND MISSION, THE NZ OFFICIAL MOST INVOLVED AT THIS END, IS ONE OF THE G20 GATT EXPERTS ON THE DISC PANEL WHICH MEETS NEXT MONTH. OUR INTEREST IN PRESERVING TRADE DISCIPLINE AND RESISTING PROLIFERATION OF RESTRICTIONS WILL BE SERVED BY FORMATION OF A WP. THERE IS THUS NOTHING IN THIS FOR THE US OF SUCH POTENTIAL IMPORTANCE AS TO COUNTERBALANCE THE DAMAGE OF UNNECESSARILY IRRITATING FALCONER ON THE EVE OF THE DISC PANEL--WHEN OUR RATIONALE FOR FAVORING BOP COMMITTEE HANDLING OVER A WP WOULD BE WEAK ANYWAY.

6. THEREFORE STRONGLY RECOMMEND THAT IN FEB 17 COUNCIL WE NOTE OUR REGRET AT NEED FOR NEW NZ MEASURES, STATE OUR PREFERENCE FOR BOP COMMITTEE HANDLING, AND GO ALONG WITH NZ REQUEST FOR WP. BRUNGART

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